

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CALVIN ESTERS,

Petitioner,

v.

ORDER

Civil File No. 09-1667 (MJD/AJB)

B.R. JETT,
Commissioner of
Social Security,

Respondent.

Calvin Esters, pro se.

Ana H. Voss, United States Attorney's Office, Counsel for Respondent.

This matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated August 24, 2009 [Docket No. 12]. Plaintiff has filed an objection to the Report and Recommendation [Docket No. 14]. Pursuant to statute, the Court has conducted a de novo review of the record. See 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Court **ADOPTS** the Magistrate Judge's Report and Recommendation dated August 24, 2009 [Docket No. 12].
2. That Calvin Esters' petition under 28 U.S.C. § 2241 for writ of habeas corpus is **DISMISSED** with prejudice [Docket No. 1].

Date: October 21, 2009

s/ Michael J. Davis
Michael J. Davis
Chief Judge
United States District Court